



## State of Utah

### Department of Natural Resources

MICHAEL R. STYLER  
*Executive Director*

### Division of Oil, Gas & Mining

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

July 14, 2005

Wayne Nielson  
Nielson Construction Company  
P.O. Box 620  
Huntington, Utah 84528

Subject: Incomplete Notice of Intention to Commence Small Mining Operations,  
Nielson Construction Company, Nielson Construction Limestone Mine,  
S/049/052, Utah County, Utah

Dear Mr. Nielson:

On June 6, 2005, the Division received your Notice of Intention (Notice) for the referenced mine. Shortly after you hand delivered your Notice, it was noted that it had not been signed. Your office was contacted via phone of this and they indicated they would fax a signature page to us. Mr. Ken Neilson was again reminded of this when he called on June 10, 2005. To date, we have not received a signed Notice.

The notice indicated that you would be submitting a Letter of Credit from Far West Bank of Price. To date, we have not received your surety.

On June 30, 2005, the School and Institutional Trust Lands Administration (SITLA) contacted our office and informed us that there was no mineral lease for this area, nor has one been applied for. Without a mineral lease from SITLA you have no right to enter and remove minerals from this area.

In light of these issues, the Division finds the Notice incomplete. You are not authorized to conduct mining operations at this site. Should you apply for, and receive a lease for the minerals, you will need to resubmit the NOI, pay the Division permit fees (if another year lapses), provide adequate reclamation surety, and receive written acceptance/approval before any mining may commence. Please contact me at (801) 538-5258 or Lynn Kunzler at 538-5310 if you have any questions in this regard.

Sincerely,

Susan M. White  
Mining Program Coordinator  
Minerals Regulatory Program

SMW:lk:jb

cc : John Blake, SITLA

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